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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 (SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX	) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND	)
PRODUCT LIABILITY LITIGATION	)
_____	)
ACQUAROLE, et al.,	) CASE NO. CGC-06-449463
	) MDL Case No. 06-2392 CRB
	)
Plaintiffs,	) STIPULATION AND ORDER OF
	) DISMISSAL WITH PREJUDICE
vs.	) AS TO PLAINTIFF AARON PORTER
	)
PFIZER, INC., et al.	)
	)
Defendants.	)
	)
_____	)

COME NOW, Plaintiff AARON PORTER and Defendants PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
 AS TO PLAINTIFF AARON PORTER**

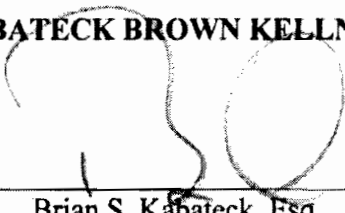
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hereby stipulate to the dismissal of Plaintiff AARON PORTER from this action, with prejudice,  
each side bearing its own attorney's fees and costs.

Respectfully submitted,

Dated: September 24, 2009

**KABATECK BROWN KELLNER LLP**

By:   
Brian S. Kabateck, Esq.  
Attorneys for Plaintiff AARON PORTER

Dated: October 27, 2009

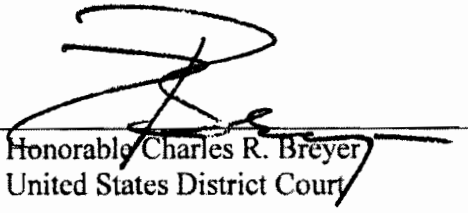
**DLA PIPER LLP**

By: /s/  
Matthew A. Holian  
Attorney for Defendants PFIZER, INC., et al.

**ORDER**

**PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS  
SO ORDERED.**

Dated: OCT 29 2009

  
Honorable Charles R. Breyer  
United States District Court